

Exhibit 44

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

ROSY GIRON DE REYES;
JOSE DAGOBERTO REYES;
FELIX BOLANOS; RUTH RIVAS;
YOVANA JALDIN SOLIS; ESTEBAN
MOYA YRAPURA; ROSA AMAYA; and
HERBERT SARA VIA,

Plaintiffs,

vs.

WAPLES MOBILE HOME PARK
LIMITED PARTNERSHIP; WAPLES
PROJECT LIMITED PARTNERSHIP; and
A.J. DWOSKIN & ASSOCIATES, INC.,

Defendants.

Civil Action No. 1:16cv00563-TSE-TCB

Declaration of Brady M. Bustany

1. My name is Brady M. Bustany. I am Corporate Counsel at Yardi Systems, Inc. (“Yardi”), which is the parent company of RentGrow, Inc. dba Yardi Resident Screening (“RentGrow”). I am over 18 years of age and competent to testify in the above-captioned matter. I make this declaration on behalf of RentGrow by authorization.

2. In my capacity as Corporate Counsel, I am familiar with RentGrow’s policies and procedures and make this declaration based on my personal knowledge of those policies and procedures or upon information and belief gained from persons most knowledgeable of the matters described herein.

3. RentGrow, not Yardi Systems, Inc., prepares tenant screening reports for its clients, most typically property owners and property managers, in accordance with the Fair Credit Reporting Act, 15 U.S.C. section 1681 *et seq.*, and other applicable laws (collectively, the

“FCRA”). RentGrow typically functions as a reseller as defined by the FCRA and prepares screening reports that may contain consumer credit information obtained from one or more of the three major credit bureaus and/or other public record information such as certain reportable civil and criminal information.

4. Clients use the information in RentGrow’s screening reports to help make informed decisions about whether a rental applicant to which the screening report applies meets the minimum rental criteria for the property owned or managed by the client.

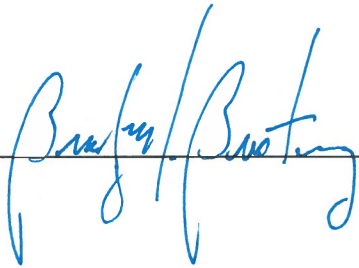
5. RentGrow itself does not own or rent any properties; does not set the eligibility criteria for any rental property; does not prepare or review rental applications; does not decide which applicants a client will submit to RentGrow for the purpose of generating a screening report; and does make any rental decisions.

6. RentGrow’s tenant screening system requests the rental applicant’s SSN but does not require a Social Security Number (SSN) to perform the credit screening or criminal background screening services it currently provides, and does not request an Individual Taxpayer Identification Number (ITIN) as part of its process.

7. In the case of credit screening, the SSN provided, if any, is sent to a credit bureau, which ultimately returns the applicant’s credit history to RentGrow. If an SSN is not provided, if it is erroneous, or an ITIN is provided in lieu of an SSN, the credit bureau, generally speaking, attempts to return the applicant’s credit history—but may instead return an alert or other message to indicate that the SSN was missing, erroneous or that an ITIN (instead of an SSN) was provided. How each bureau handles a missing or erroneous SSN, or an ITIN submitted instead of an SSN, varies and neither I nor anyone at RentGrow is authorized or qualified to speak on behalf of any credit bureau.

8. In the case of criminal history screening, the SSN, if provided, is used by RentGrow to run an address scan to help ensure the accuracy and completeness of any reportable records that are returned to RentGrow from a data furnisher or other consumer reporting agency. Because the address scan is based on the SSN, if an ITIN is provided in lieu of an SSN the address scan will return no results. RentGrow's tenant screening system does not ask for or make use of any applicant passport, U.S. visa, or I-94 information.

9. I declare under penalty of perjury of the laws of the United States that the foregoing is true to the best of my knowledge and belief.



A handwritten signature in blue ink, appearing to read "Bryan Bunting", is written over a horizontal line.

Date: 11/13/16